

June 4, 1943

Mr. Wayne Francis
Water Commissioner
Spanish Fork, Utah

Dear Sir: RE: SPANISH FORK RIVER DISTRIBUTION

Enclosed is copy of a letter from Mr. J. D. Skeen in which is mentioned distribution of water for Mr. Simon Hugentobler which should be self-explanatory.

The rights of Mr. Hugentobler were awarded to R. H. Spencer, sometimes known as Henry Spencer, by decree in the case of Simons vs. Seeley, dated September 28, 1894, and by decree in the case of Indianola Irrigation Co. vs. R. H. Spencer, dated May 6, 1920. The full history of the water right is contained in the complaint in the case of James C. Whitaker, Plaintiff, vs. R. H. Spencer, filed July, 1941, all decrees being in Sanpete County. In the last case cited, the right is acknowledged as belonging to Mr. Hugentobler where it is set out 55/1728 of Thistle Creek is awarded to him as an independent right. It is reported that Mr. Hugentobler's farmer has been unable to obtain the water to which he is entitled.

Kindly make distribution of this water to Mr. Hugentobler in accordance with the decrees.

Yours very truly,

Ed. H. Watson
STATE ENGINEER

FWC/per
Enc: Letter

CC: Mr. Benjamin F. Simmons
Deputy Water Commissioner
Spanish Fork, Utah